



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

February 28, 2003

S. 162

Gila River Indian Community Judgment Fund Distribution Act of 2003

As ordered reported by the Senate Committee on Indian Affairs on February 26, 2003

S. 162 would waive the repayment of expert assistance loans made to the Gila River Indian Community. Currently, the tribe owes the Department of the Interior about \$700,000 in principal and interest on loans provided to pay the expenses of expert witness in the tribe's claims against the federal government. CBO estimates that enacting this provision would increase direct spending by about \$700,000 over the next couple of years when the government would otherwise receive this repayment.

S. 162 also would establish procedures for the distribution of about \$7 million in judgment awards held in a trust fund on behalf of the members of the Gila River Indian Community. Under current law, the funds cannot be spent or distributed by the tribes until the Congress approves a plan to allocate the funds. The trust fund is held and managed in a fiduciary capacity by the federal government on behalf of the tribe and is treated in the budget as a nonfederal entity. As a result, outlays were recorded on the budget when the judgments were awarded to the tribe and paid into those funds, and there is no budgetary impact when the money is distributed to the individual members of the tribe. Therefore, CBO estimates that enacting this provision would have no effect on the federal budget.

S. 162 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments. Enacting S. 162 would benefit the Gila River Indian Community by providing for the distribution of judgment funds.

The CBO staff contact for this estimate is Julie Middleton. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.